

**IN THE STATE COURT OF DEKALB COUNTY**

**STATE OF GEORGIA**

**ORDER ESTABLISHING TRAFFIC VIOLATIONS BUREAU**

WHEREAS, O.C.G.A §40-13-50 provides for the establishment of a Traffic Violations Bureau, and

~~WHEREAS, it is the desire of the Judges of this Court to provide for the prompt and efficient~~  
disposition of the traffic cases assigned to this Court,

THEREFORE, IT IS THE ORDER OF THIS COURT, that effective February 9, 2015, there shall be established a Traffic Violations Bureau for the handling and disposition of certain traffic offenses as set out in this Order.

Section 1. The Traffic Violations Bureau shall be under the direct supervision of and attached to the office of the Clerk of this Court. Melanie F. Wilson, Clerk of this Court and any assistants she requires are hereby approved to receive the fines and forfeitures.

Section 2. Any officer who arrests any person for the violation of a traffic law or traffic ordinance alleged to have been committed outside the corporate limits of any municipality, except the following offenses:

1. Any offense for which a driver's license may be suspended by the commissioner of public safety, including the following:  
  
§40-5-121 & §40-6-15 Driving on a Suspended/Revoked/Cancelled License;  
§40-5-120 & §40-5-125 Fraudulent or fictitious use of or application for a license;  
§40-6-10 No insurance;  
§40-6-186 Racing;  
§40-6-270 Duty of Driver ("Hit & Run");  
§40-6-393 Vehicular homicide;  
§-6-395 Fleeing or attempting to elude
2. Any motor vehicle registration violation, including §40-6-15;
3. A violation of §40-5-20 (driving without a license).

shall permit such person to be released upon being served with a citation and summons, as herein provided,

unless such officer has reasonable and probable grounds to believe that the person will not obey such summons and agree

to appear. Nothing in this order shall be interpreted to interfere with the sheriff accepting a license in lieu of bail pursuant to O.C.G.A. § 17-6-2(a).

Section 3 The offenses enumerated in Section 2 shall be excluded from the Traffic Violations Bureau and payment of a fine in lieu of appearance in court. In addition, the following offenses shall be excluded from the operation of the Traffic Violations Bureau:

1. Speeding in excess of 30 miles per hour over the posted speed limit;
2. The following additional specific code sections:
  - §40-5-146(a) Operating a "commercial vehicle," as defined in §40-5-142(7)
  - §40-5-146(b) Operating a "commercial vehicle," as defined in §40-5-142(7) with a suspended/revoked/cancelled CDL license
  - §40-5-147 Operating a "commercial vehicle," as defined in §40-5-142(7) in violation of a CDL instructional permit
  - §40-6-10 No insurance; no proof of insurance
  - §40-6-140(e & f) RR Crossing, insufficient space or clearance
  - §40-6-251 Driving in a circular or zigzag course ("Laying Drags")
  - §40-6-271 Duty upon striking unattended vehicle
  - §40-6-390 Reckless Driving
  - §40-6-391 DUI (including driving with unlawful blood alcohol level and child endangerment)
  - §40-6-397 Aggressive Driving
3. Any traffic citation to a defendant under the age of 21
4. Any offense which would otherwise be a Traffic Violations Bureau offense which arose out of the same conduct or occurred in conjunction with an offense which is excluded from the jurisdiction of the Traffic Violations Bureau,

Section 4. The original and Department of Driving Services (hereafter DDS) copies of written citations shall be sent by the law enforcement agency issuing the citation to the clerk of court within 24 hours. Electronic

citations shall be forwarded to the clerk electronically within 24 hours. The defendant named in the summons shall be given a copy of the ticket. All traffic violations, except those set forth in Section 2 may be paid to the Traffic Violations Bureau at 3630 Camp Circle, Decatur, GA 30032 between the hours of 8 am and 5:30 pm, Monday through Thursday, and 8 am to 4:30 pm Fridays after the charges are forwarded to the court and entered into the docketing system. Payments may also be made through the online payment system at [www.dekalbpay.com](http://www.dekalbpay.com). Payments can also be made by phone at (404)294-2099. Cases in which a not guilty plea waiving arraignment filed in writing or electronically with the Court as well as not guilty pleas made at the arraignment date shown on the citation shall be set on a trial date set by the Clerk of Court with notice to the Solicitor and defendant.

Section 5. Offenses qualifying for the traffic violations bureau in which a cash bond is correctly posted prior to the court date shown on the citation shall not be prosecuted by the Solicitor General. Cases in which there is a not guilty plea, or a failure to appear with no cash bond posted, shall be prosecuted by the Solicitor General as state misdemeanors. In any case where a Defendant is cited for a traffic violation subject to the traffic violation bureau and posts a cash bond according to the schedule set up by this Order, and does not appear at his court date to enter a not guilty plea, then the failure to appear shall be construed as an admission of guilt and, where appropriate under statutory authority, the Department of Driving Services (hereafter DDS) shall be notified of a conviction of the offense. The proceeds of said cash bond shall be immediately forfeited and shall be applied and distributed as any fine imposed by this court would be.

Section 6. If any person fails to appear in Court on the date specified in the citation, unless such person has posted a cash bond as provided herein, on moving violations the defendant shall be sent the appropriate DDS form concerning the license suspension consequences of the failure to appear or to dispose of the case within the appropriate time frame.

The Court may issue a bench warrant for the failure to appear.

The Solicitor-General may in her discretion file an accusation charging a defendant who fails to appear with a violation of O.C.G.A. § 40-13-63.

Section 7. Any traffic violation disposed of under the jurisdiction of the Traffic Violations Bureau shall be characterized as a traffic violation and shall not be considered as a misdemeanor.

Section 8. No officer giving a citation to a defendant for a traffic violation shall accept a cash bond. In the event an officer refuses to release the defendant upon a citation and summons pursuant to O.C.G.A. § 40-13-57, the Deputy Sheriff shall have the authority to accept a cash bond and give a receipt for the same and turn the funds over to the Clerk the next business day.


Section 9. The attached list for cash bonds is hereby adopted and the Sheriff and Clerk of the Court are hereby authorized to accept cash bond in the amount shown for the corresponding offenses.

Section 10. Citations for violations of O.C.G.A. Title 40 originally issued prior to February 9, 2015 providing for appearance at the Recorders Court shall be placed on a State Court non-jury arraignment calendar at the Camp Circle location. In the event that a defendant shall interpose an objection to proceeding on the original citation in the State Court, the presiding judge shall determine the appropriate way to proceed on a case-by-case basis; however, if the defendant is unwilling to waive his or her right to a jury trial and proceed, the case shall be assigned to a division arraignment calendar at the courthouse.

This 6 day of February, 2015



Wayne M. Purdom  
Chief Judge, State Court of DeKalb County

FILED IN THIS OFFICE  
THIS 6 DAY OF Feb 2015  
  
Clerk, State Court of DeKalb County

1.	40-6-311D	MOTORCYCLE PASSENGER INTERFERING C/B \$85.00
2.	40-6-395	FLEE'G /ATTEMPT'G TO ELUDE OFFICER C/B \$660
3.	40-5-121	DRIVERS LIC.SUS/REVKD C/B \$900.00
4.	40-5-121	DRIVER'S LICENSE, SUSP/REVKD CB \$635.00
5.	16-13-2B	POSSESSION OF MARIJUANA C/B \$540
6.	16-8-14	THEFT BY SHOPLIFTING C/B \$570 (MANDATORY COURT)
7.	40-6-244	RIDING IN A HOUSE TRAILER ON HWY C/B \$460
8.	40-6-254	FAILURE TO SECURE LOAD C/B \$180.00
9.	40-6-163	PASSING SCHOOL BUS/UNDER 21 B/\$250.00
10.	40-6-255	FAILURE TO PAY FOR GASOLINE C/B \$100
11.	40-6-397	AGGRESSIVE DRIVING C/B \$1035.00
12.	40-5-125	FALSE REPORT/APP TO OBTAIN DL C/B \$430
13.	40-6-161	SCHOOL BUS MUST HAVE HEADLIGHTS C/B \$430.00
14.	40-6-164	SCH. BUS NOT ALLOW SAFE DISEMBARK C/B \$420
15.	40-5-179	FRAUDULENT ID CARD CB/\$420.00
16.	40-6-251	LAYING DRAGS C/B \$430.00
17.	40-6-390	RECKLESS DRIVING/UNDER 21 B/\$260.00
18.	40-6-270	HIT & RUN OR LEAVING SCENE BOND \$440
19.	40-6-270	HIT & RUN OR LEAVING SCENE CB/\$440
20.	40-6-15	VEH. REGIS. SUSP/CAN/REVOK C/B \$500.00
21.	40-6-272	STRIKING FIXED OBJECT C/B \$318.00
22.	40-6-186	DRAW RACING (CONTEST OF SPEED) BOND \$710.00
23.	40-6-186	DRAW RACING (CONTEST OF SPEED)CB/\$710
24.	40-6-273	FAILURE TO REPORT ACCIDENT C/BOND \$250
25.	40-6-273	FAILURE TO REPORT ACCIDENT CASH B/\$250
26.	40-5-120	UNLAWFUL USE OF LICENSE/ID C/B \$710.00
27.	40-6-142	FAILURE TO STOP AT RR GRADE XING C/B \$420.00
28.	3-3-23A3	ALCOH.BEV./MISREPRESENT AGE CB \$710.00
29.	3-3-23A1	FURNISH/PURCH ALCOHOL F/MINOR C/B \$710.00
30.	3-3-23A2	PURCHASE/POSSESS ALCOHOL MINOR C/B \$710.00
31.	3-3-23A2C	POSSESS ALCOHOL UNDERAGE DRIVER CB \$710.00
32.	3-3-23A2C	POSSESS ALCOHOL UNDERAGE DRIVER CB \$710
33.	3-3-23A5	MISREP/FALSE ID OBTAIN ALCOHOL C/B \$710.00
34.	40-6-271	STRIKING UNATTENDED VEHICLE C/B \$440
35.	40-6-10	FAILURE TO MAINTAIN INSURANCE C/B \$500
26.	40-6-11	NO INSURANCE MOTORCYCLE C/B \$500.00
27.	40-6-11	NO MCYCLE INSURANCE/ACCDNT/CB \$500

MFV/mfv

February 6, 2015